

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re

Alexander E. Jones,

Debtor,

Bankruptcy

Case No. 22-33553 (CML)

Chapter 7

David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, Robert Parker, and Erica Ash,

Plaintiffs,

v.

Alexander E. Jones and Free Speech Systems, LLC,

Defendants.

Adv. Pro. No.: 23-03037 (CML)

**CONNECTICUT FAMILIES' MOTION FOR LEAVE TO FILE A SUR-REPLY IN  
OPPOSITION TO ALEXANDER E. JONES'S MOTION TO RECONSIDER THIS  
COURT'S ORDER ON NONDISCHARGEABILITY OF CONNECTICUT JUDGMENT**

This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.

Represented parties should act through their attorney.

The Connecticut Families respectfully request that this Court grant them leave to file a short sur-reply in opposition to Alexander E. Jones's motion to reconsider this Court's October 19, 2023 Order on non-dischargeability of the Connecticut Judgment (Dkt. 76). The Connecticut Families request a sur-reply to respond briefly to new legal theories and accusations of a lack of candor raised by Jones in his Reply (Dkt. 129).

Courts have discretion to allow a responding party to file a sur-reply when the movant "raises new legal theories or attempts to present new evidence at the reply stage." *ICI Construction, Inc. v. Hufcor, Inc.*, 2023 WL 2392738, at \*3 (S.D. Tex. March 7, 2023); *Makhlouf v. Tailored Brands, Inc.*, 2017 WL 1092311 (S.D. Tex. Mar. 23, 2017) (collecting cases).

That is the case here. First, Jones claims in his Reply that specific Fifth Circuit caselaw permits him to collaterally attack the Connecticut Judgment before this Court because it is still on appeal. He has never raised this argument in his opening brief for his motion to reconsider (Dkt. 127) or in his briefing on the Connecticut Families' motion for summary judgment (Dkt. 61). Second, Jones repeatedly accuses the Connecticut Families of a lack of candor, and of making false statements and misrepresentations with respect to Connecticut caselaw. The Connecticut Families have engaged in good faith legal advocacy and seek to file a short sur-reply to correct Jones's baseless accusations. Even with the sur-reply, the Connecticut Families would have submitted less than 20 pages of briefing on the motion, compared with Jones's almost-100 pages.

Accordingly, the Connecticut Families respectfully request leave to file a concise sur-reply specifically addressing these issues. A copy of the Connecticut Families' proposed sur-reply is attached here as Exhibit A.

Dated: February 24, 2025  
New York, New York

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